

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ANTHONY BUCCA, et al.,

Plaintiffs,

v.

ALLSTATE INDEMNITY INSURANCE,

Defendant.

Case No. 2:14-cv-01903-APG-PAL

ORDER

(Mot Cost Bond - Dkt. ##10, 11, 12)

Before the court is Defendant's Motion for Non-Resident Cost Bond to Plaintiff Anthony Bucca (Dkt. ##10, 11), and Motion for Non-Resident Cost Bond to Plaintiff Lilian Bucca (Dkt. #12). Docket #11 is a duplicate of Dkt #10. No response to the motions have been filed and the time for filing a response has expired.

Defendant seeks an order requiring the Plaintiffs to post a non-resident cost bond pursuant to NRS 18.301(1).

The Federal Rules of Civil Procedure do not contain a provision related to security of costs. Nevertheless, this court has enforced the requirements of NRS 18.130. See *Hamar v. Hyatt Corp.*, 98 F.R.D. 305-306 (D. Nev. 1983); *Arrambide v. St. Mary's Hosp., Inc.*, 647 F.Supp 1148, 1149 (D. Nev. 1986). The statute requires a non-resident plaintiff to submit an affidavit that it will pay any costs and charged that may be awarded up to \$500. In lieu of filing the affidavit, the non-resident Plaintiff may post a \$500 bond with the Clerk of the Court. Absent the showing of indigence, the requirements to provide a security in the amount of \$500 per defendant applies to each non-resident plaintiff. *Id.*, at 1148-49.

Defendant has filed and served a written demand for the security of costs.

Having reviewed and considered the matter, and for good cause shown,

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1. Defendant's Motions for Cost Bond (Dkt. #10, 12) are **GRANTED**. Plaintiff Anthony Bucca, and Lilian Bucca, shall file an affidavit of surety or, alternatively, post a security bond in compliance with NRS 18.130 in the amount of \$500 per Plaintiff, no later than **February 9, 2015**.
2. Defendant's Motion for Cost Bond (Dkt. #11) is **stricken** as it is a duplicate of the Motion for Cost Bond (Dkt. #10).

Peggy A. Leen
PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE